

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MELHORN SALES, SERVICE</b>	<b>:</b>	<b>CIVIL ACTION</b>
<b>&amp; TRUCKING Co., Inc.,</b>	<b>:</b>	
<b>Plaintiff,</b>	<b>:</b>	
	<b>:</b>	
<b>v.</b>	<b>:</b>	
	<b>:</b>	
<b>RIESKAMP EQUIPMENT Co.</b>	<b>:</b>	
<b>Defendant.</b>	<b>:</b>	<b>№ 08-2424</b>

**ORDER**

**AND NOW**, this 18<sup>th</sup> day of March, 2010, on consideration of Defendant Rieskamp Equipment Company's Partial Motion for Summary Judgment (Docket No. 40), it is hereby **ORDERED** that the Motion is **GRANTED**, and Rieskamp Equipment Company is awarded summary judgment on Counts VII and VIII of Plaintiff's Complaint (Docket No. 1).

It is further **ORDERED** that pursuant to an agreement between the parties, Counts V and VI of the Complaint are **DISMISSED**.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE